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d/b/a CAESARS PALACE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM J. BERRY, JR., CYNTHIA
FALLS, and SHANE KAUFMANN,

Plaintiff(s),

vs.

DESERT PALACE, INC., d/b/a CAESARS
PALACE, DOES I through x, et al.

Defendant(s).

Case No. 2:17-cv-00019-GMN-PAL

**STIPULATION TO EXTEND
DISPOSITIVE MOTION DEADLINE**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs WILLIAM J. BERRY, JR., CYNTHIA FALLS, and SHANE KAUFMANN (“Plaintiffs”) and Defendant DESERT PALACE, INC. d/b/a CAESARS PALACE (“Caesars”), by and through their respective counsel of record, that the dispositive motion deadline be extended in light of the filing of Plaintiffs’ Motion for Reconsideration of Order Denying Emergency Motion to Extend Discovery Deadlines (ECF No. 86) as explained further below. (ECF No. 87).

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1 Per the parties' Stipulation and Order to Extend Discovery and Dispositive Motion Deadlines
2 (Third Request), discovery concluded in this case on October 22, 2018 and the dispositive motions
3 deadline is November 30, 2018. (ECF No. 83). On October 22, 2018, Plaintiffs filed an emergency
4 motion to extend the discovery deadline so that they could take more than 20 additional depositions.
5 (ECF No. 84). By Order dated October 31, 2018, this Court denied Plaintiffs' Motion to Extend
6 Discovery Deadlines. (ECF No. 86).

7 In view of the closed record, the Court's denial of Plaintiffs' emergency motion, and the
8 looming November 30 dispositive motions deadline, Caesars' motion seeking summary judgment is
9 near complete. However, on November 13, 2018, Plaintiffs moved for reconsideration of the
10 Court's Order denying their emergency motion. (ECF No. 87). Caesars' response to Plaintiffs'
11 Motion for Reconsideration is due on or before November 27, 2018.

12 Caesars was fully prepared to file its motion for summary judgment by the November 30
13 deadline. However, at this juncture Plaintiffs' Motion for Reconsideration feasibly cannot be ruled
14 upon before this Court's November 30 dispositive motions deadline. And, in the event that the
15 Court grants any part of the relief sought by Plaintiffs, the record will no longer be closed, which
16 will inevitably require Caesars to significantly revise and modify its currently-drafted motion for
17 summary judgment. In view of this timing conundrum, the parties hereby stipulate to extend the
18 deadline for filing dispositive motions until this Court rules on Plaintiffs' Motion for
19 Reconsideration. Specifically, the parties stipulate to extend the deadline for filing dispositive
20 motions until either two (2) weeks from the date of the Court's order denying Plaintiffs' Motion for
21 Reconsideration, or until such other time following the close of discovery that the Court so orders
22 should the Court grant any part of Plaintiffs' Motion for Reconsideration.

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1 This is the parties' first stipulation to specifically extend the dispositive motion deadline.
2 This stipulation is made in good faith in order for the parties to avoid incurring unnecessary legal
3 fees. This stipulation is not for the purpose of causing any undue delay, and the parties agree that
4 good cause therefore exists for the extension.

5 Dated: November 19, 2018.

Dated: November 19, 2018

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7
8 /s/ Kathleen J. England, Esq.
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13 Shane Kaufmann

Attorneys for Defendant
DESERT PALACE, INC.
dba CAESARS PALACE

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15 **ORDER**

16 IT IS SO ORDERED.

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UNITED STATES MAGISTRATE JUDGE

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20 Dated this 26th day of November, 2018.